IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 13th day of June 2005
Criminal Misc. Bail Application No. 376/2005
Order on the bail application of accused

CRIMINAL SIDE

1. Tuman @ Gulshad S/o Mubarik
2. Sahjad S/o Irshad
3. Afzal S/o Zaheer
   All R/o village Jainpur
   P.S. Laksar
   District Haridwar …….Applicants

Versus

State of Uttaranchal …….Opposite Party

Arising out of case crime No. 16 of 2005
U/s 147, 148, 149, 307, 452, 504 I.P.C. and section 3 of the Railway Property (Unlawful Possession Act 1966)
P.S. Laksar
District – Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Vivek Shukla learned counsel for the applicants and learned A.G.A. for the State.

Perused the record. The complainant party sustained the injuries by the fire-arm, but according to the medical report all the injuries are simple in nature. It is not clear from the case-diary as to whether the complainant was admitted to the hospital. Apart this, there is cross-version of the incident, which was recorded as case crime No.16A/2005. Both the parties have sustained the injuries at the time of the incident. It has to be decided during the trial that who is the aggressor in these cases. Keeping in view of this, it is a fit case for bail.

Let the applicants-accused be released on bail on executing a personal bond each and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 13.06.2005 (J.C.S. Rawat, J.)

LSR